

HOUSE BILL 1566

By West

AN ACT to amend Tennessee Code Annotated, Title 50,  
Chapter 3, relative to the operation of cranes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 50, Chapter 3, is amended by adding  
Section 2 as a new part thereto.

SECTION 2.

Section 50-3-1001.

(a) An individual may not operate a crane with a lifting capacity of five (5) tons or more on a construction site unless the individual has a valid crane operator certificate received from a nationally recognized and accredited certification program approved by the commissioner of labor and workforce development. No employer, and no person who is under a contract to construct an improvement to land, may permit any employee, agent, or independent contractor to perform work in violation of this section. Crane operator certification required under this section must be renewed by an accredited certification program every five (5) years.

(b) Subsection (a) shall not apply to:

(1) A crane operator trainee or apprentice, if the individual is under the direct supervision of a crane operator who holds a valid crane operator certificate as required in subsection (a);

(2) A person directly employed by a class 1 or 2 railroad who is qualified by the employing railroad as a crane operator or boom truck operator while performing work on property owned, leased, or controlled by the employing railroad;

(3) A person who is employed by or performing work for a public utility, rural electric cooperative, municipality, telephone company, or industrial manufacturing plant;

(4) A person who is subject to inspection and regulation under the Mine Safety and Health Act, 30 U.S.C. § 801 et seq. 8; United States Code, title 30, sections 801 through 962;

(5) A person engaged in boating, fishing, agriculture, or arboriculture;

(6) A person who is a member of and performing work for a uniformed service or who is a member of and performing work for the United States Merchant Marines;

(7) A person who is operating a crane for personal use on premises owned or leased by that person; or

(8) A person who is operating a crane in an emergency situation.

(c) An individual who is operating a crane on a worksite shall provide proof of certification upon request by an investigator for the department.

SECTION 3. This act shall take effect July 1, 2009, the public welfare requiring it.